Attorney or Pacty Name, Address, Telephone & FAX Numbers, and California State Bar Number FOR COURT USE ONLY BRAP D. KRASNOFF, State Bar No. 125065 HAN K. LEE, State Bar No. 221888 **FILED** LEWIS BRISBOIS BISGAARD & SMITH LLP 221 N. Figueroa St., Suite 1200 Los Angeles, CA 90012 SEP 1 4 2005 T: 213.250.1800 F: 213.250.7900 UNITED STATES BANKRUPTCY COURT CLERK U.S BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA By Deputy Clerk CENTRAL DISTRICT OF CALIFORNIA In re: JOHN FITZGERALD ERDEN, CASE NO .: ND98-11918-RR Debtor(s).

NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: October 26, 2005 Time: 10:00 a.m.	
Location: 1415 State Street, Courtroom 201, Santa Barbara, California 91301	
Type of Sale: X Public: Private: Last date to file objections: October 12, 2005	
Description of Property to be Sold: The estate's right, title and interest, if any, in a	`
business entity known as Creekside Avocados, in which the Trustee is informe	
bankruptcy estate may hold a 25% interest.	
Terms and Conditions of Sale: On an "as is" and "where is" basis. Offer subject to overbid.	
Proposed Sale Price: \$25,000.00 offer subject to overbid.	
Overbid Procedure (If Any): <u>See attachment</u> .	
f property is to be sold free and clear of liens or other interests, list date, time and location of hearing:	
Contact Person for Potential Bidders (include name, address, telephone, fax and/or e:mail address):	
Brad D. Krasnoff, Esq.	
Lewis Brisbois Bisgaard & Smith LLP	
221 N. Figueroa St., Suite 1200	
Los Angeles, CA 90012	
213.250.1800	
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Date: September 12, 2005	

ATTACHMENT

In order for any party to participate in an overbid procedure, the Trustee requests that the parties comply with the following provisions:

- a. Each party (including the proposed buyer) must be present either physically or telephonically at the hearing on the sale motion or represented by an individual or individuals with the authority to participate in the overbid process;
- b. Each party participating in the overbid process (except for the proposed buyer) must have at the hearing on the sale motion a deposit in cash or a cashier's check made payable to the **Jerry Namba**, **Chapter 7 Trustee**, in the amount of \$12,500.00 (which amount the proposed buyer has paid to the Trustee). The \$12,500.00 deposit shall not be refundable if such party is the successful bidder and is thereafter unable to complete the purchase of the estate's interest in Creekside Avocados;
- c. The bidding shall begin at \$26,000.00 with overbids being made in minimal increments of \$1,000.00; and
- d. Each party (including the proposed buyer) must pay the full amount of the successful bid to the Trustee within 14 days from the date of entry of an order granting the sale motion. In the event that the proposed buyer is not the successful bidder, the successful bidder shall then become the buyer under the same terms and conditions as set forth in the sale motion. Furthermore, if the successful bidder cannot deliver the balance of the sale price within the above-referenced period, the Trustee shall be authorized to accept the offer made by the next highest bidder and the successful bidder's deposit shall be non-refundable.